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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/939,960	08/27/2001	Lane W. Lee	M-12043 US	6648

7590 04/19/2005  
MACPHERSON KWOK CHEN & HEID LLP  
1762 TECHNOLOGY DRIVE  
SUITE 226  
San Jose, CA 95110

EXAMINER

BACKER, FIRMIN

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 04/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/939,960

Applicant(s)

LEE ET AL.

Examiner

Firmin Backer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 37-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 37-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on March 8<sup>th</sup>, 2005 has been entered.

***Response to Arguments***

2. Applicant's arguments with respect to claims 37-43 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 37-43 are rejected under 35 U.S.C. 102(e) as being anticipated by Nordman et al (U.S. PG Pub No 2002/0174073).

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5. As per claim 37, Nordman et al teach an access method, comprising receiving at a storage engine a certificate from the host device the certificate containing a digital signature authenticating the digital signature receiving at the storage engine a the request from the authenticated host device, the file request being directed to a file stored on a storage medium accessible to the storage engine within the storage engine, reading security metadata associated with the file from the storage medium, the security metadata containing at least one rule governing access to the file within the storage engine, applying the at least one rule to the file request from the host device; and if the application of the at least one rule provides a failing result, denying the file request (*see paragraphs 0013, 0017, 0018, 0050, 0225, 0234, 0236, 0238, 0269*).

6. As per claim 38, Nordman et al teach an access method wherein the at least one rule comprises a plurality of rules (*see paragraphs 0013, 0017, 0018, 0050, 0225, 0234, 0236, 0238, 0269*).

7. As per claim 39, Nordman et al teach an access method wherein the storage medium is an optical disk (*see paragraphs 0013, 0017, 0018, 0050, 0225, 0234, 0236, 0238, 0269*).

8. As per claim 40, Nordman et al teach an access method wherein the application of the at least one rule act comprises checking play privileges for the host device (*see paragraphs 0013, 0017, 0018, 0050, 0225, 0234, 0236, 0238, 0269*).

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9. As per claim 41, Nordman et al teach an access method of if the application of the at least one rule provides a successful result granting the request (*see paragraphs 0013, 0017, 0018, 0050, 0225, 0234, 0236, 0238, 0269*).

10. As per claim 42, Nordman et al teach a storage engine, comprising authentication means for authenticating a digital signature contained in a certificate from a host device, and file request response means for responding to file request from the host device, each file request identifying a particular file, the file request response means being responsive to file requests only if the authentication means authenticates the digital signature, the file request response means being configured to read security metadata associated with the file from a storage medium, the security metadata containing at least one rule governing access to the file the file request response means being configured to apply the at least one rule to the file request from the host device; the file request response means being configured to deny the file request if the application of the at least one rule provides a failing result (*see paragraphs 0013, 0017, 0018, 0050, 0225, 0234, 0236, 0238, 0269*).

11. As per claim 43, Nordman et al teach an access method wherein the storage medium is an optical disk (*see paragraphs 0013, 0017, 0018, 0050, 0225, 0234, 0236, 0238, 0269*).

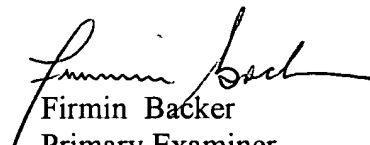
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***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Firmin Backer whose telephone number is (703) 305-0624. The examiner can normally be reached on Mon-Thu 9:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305-9768. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Firmin Backer  
Primary Examiner  
Art Unit 3621

April 14, 2005